

Weil, Gotshal & Manges LLP

BY ECF

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September 19, 2023

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The Honorable Lewis J. Liman
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, New York 10007

Re: Gemini Trust Company, LLC v. Digital Currency Group, Inc., 23-cv-06864 (LJL)

Dear Judge Liman:

We represent Defendants Digital Currency Group, Inc. and Barry Silbert in the above-captioned action. Pursuant to Sections 1.D and 2.K of the Court's Individual Practices in Civil Cases, we write to request the entry of the agreed-upon briefing schedule proposed below for Defendants' forthcoming motion to dismiss the Amended Complaint filed on September 14, 2023 (ECF No. 21), which schedule provides for a short extension of the current deadlines. The current deadline for Defendants to move to dismiss is September 28, 2023, *see* Fed. R. Civ. P. 15(a)(3), and the deadline for Plaintiff to oppose Defendants' motion to dismiss would be October 12, 2023, *see* Local Civil Rule 6.1(b). The deadline for Defendants' reply would be October 19, 2023. *See id.* This is Defendants' first request for an extension of time. The parties are not currently scheduled to appear before the Court.

We have conferred with counsel for Plaintiff, and we are authorized to represent that Plaintiff consents to entry of the following schedule:

- October 3, 2023 – Deadline for Defendants to move to dismiss the Amended Complaint.
- October 20, 2023 – Deadline for Plaintiff to oppose the motion to dismiss.
- November 3, 2023 – Deadline for Defendants to reply in support of their motion to dismiss.

The requested extensions are necessary to afford the parties sufficient time to prepare briefing that will assist the Court in its resolution of Defendants' forthcoming motion to dismiss.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Caroline Zalka', written over a light gray rectangular background.

Caroline Zalka

cc: Counsel of Record (by ECF)